

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to: 1:20-op-45060

*Taylor County Hospital District Health
Facilities Corporation*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

STIPULATION AND ORDER DISMISSING WITH PREJUDICE CLAIMS

WHEREAS, Defendants AmerisourceBergen Drug Corporation, H. D. Smith, LLC f/k/a H. D. Smith Wholesale Drug Co., and Cardinal Health, Inc. (collectively, and together with their Distributor Released Entities,¹ the “Distributor Defendants”); and Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc. (collectively, and together with their Released Entities,² the “Janssen Defendants”) filed in the above-captioned case a Motion to Dismiss the claims of Plaintiff Taylor County Hospital District Health Facilities Corporation (“Plaintiff”) as released by Kentucky statute, K.R.S. § 15.293 (Doc. No. 5152) (“the Motion to Dismiss”);

AND WHEREAS, Plaintiff has reviewed the Motion to Dismiss and agrees that its claims against the Distributor Released Entities and Janssen Released Entities are released by K.R.S. § 15.293;

¹ The Distributor Released Entities are each and every entity that is a “Released Entity” as set forth in Section I.HHH and Exhibit J of the Distributor Settlement Agreement, dated as of March 25, 2022.

² The Janssen Released Entities are each and every entity that is a “Released Entity” as set forth in Section I.61 and Exhibit J of the Janssen Settlement Agreement, dated as of March 30, 2022.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for Plaintiff, the Distributor Defendants, and the Janssen Defendants that all claims of Plaintiff that were or could have been asserted in this action against any Distributor Released Entity or any Janssen Released Entity, including any entity identified in the Distributor Settlement Agreement and the Janssen Settlement Agreement, are hereby voluntarily released and **DISMISSED WITH PREJUDICE**, with each party to bear its own costs.

September 27, 2023

Respectfully Submitted,

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Defendants' Motion to dismiss (1:20-op-45060 ECF Doc. 104, MDL 2804 Doc. 5152) is denied as moot.
SO ORDERED this 28th day of September, 2023.

/s/ Dan Aaron Polster
Hon. Dan Aaron Polster
United States District Judge